

## **REMARKS/ARGUMENTS**

This Amendment is in response to the Final Office Action dated January 5, 2007. Claims 1-3 and 5-14 are pending in the present application. Claims 12-14 have been rejected. Claim 12 has been amended to address a §112 rejection, in view of the Examiner's comments, in order to place the claims in condition for allowance. Support for the amendments to claim 12 is found on page 7, lines 10-15. Applicants respectfully submit that no new matter has been presented. Accordingly, claims 1-3 and 5-14 are pending. For the reasons set forth more fully below, Applicants respectfully submit that the claims as presented are allowable. Consequently, reconsideration, allowance, and passage to issue are respectfully requested.

### **Claim Rejections - 35 U.S.C. §112**

The Examiner has stated:

**Claims 12-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. ...**

**Claim 12 states "wherein the memory further: monitors and collects network traffic in real time; assigns a weight to the real time network traffic based on popularity; and creates a weighted list from the weighted real time network traffic; and...". In view of the specification the memory is not able to perform the functions of monitoring...**

**The specification discloses the network adapter for monitoring...**

In response, Applicants have amended claim 12 to address the Examiner's rejections. Specifically, the word "memory" has been replaced with the words "at least one network adapter." Support for the amendments to claim 12 is found on page 7, lines 10-15. Applicants respectfully submit that no new matter has been presented. Applicants respectfully submit that claims 12-14 are now proper under 35 U.S.C. §112.

Conclusion

In view of the foregoing, Applicants submit that claims 1-3 and 5-14 are patentable over the cited references. Applicants, therefore, respectfully request reconsideration and allowance of the claims as now presented.

Applicants' attorney believes that this application is in condition for allowance. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

May 21, 2007  
Date

/Joseph A. Sawyer, Jr./  
Joseph A. Sawyer, Jr.  
Attorney for Applicant(s)  
Reg. No. 30,801  
(650) 493-4540